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**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

DARLINGTON AMADASU

Plaintiff,

V.

MERCY FRANCISCAN HOSPITAL, et al.,

Defendants.

[illegible]

Case No. 1:01CV182

Judge S. Arthur Spiegel
Magistrate Judge Timothy S. Black

**AFFIDAVIT OF
MATTHEW S. AREND**

The Affiant, Matthew S. Arend, being duly sworn and cautioned, and for his Affidavit states as follows:

1. My name is Matthew S. Arend. I have personal knowledge of the facts set forth herein.
2. I am an attorney licensed to practice law in the state of Ohio.
3. On August 16, 2006, I conducted a search of the online databases maintained by the state medical boards and licensing authorities in all 50 states and the District of Columbia. Darlington Amadasu ("Amadasu") was not listed in any of those databases as a licensed physician.
4. On August 16, 2006, I conducted a review of the official website of the State of Lagos, Nigeria. On that website, the State Government of Lagos maintains a list of all government and private hospitals and health clinics currently operating within Lagos. The list of government hospitals is available online at: <http://www.lagosstate.gov.ng/directory/list.php?Sector=Government%20Hospitals>. The list of private hospitals is available online at: <http://www.lagosstate.gov.ng/directory/list.php?Sector=PrivateHospitals>.

www.lagosstate.gov.ng/directory/list.php?Sector=Private%20Hospitals. A review of both of these lists shows no listing for either Abua Nwaefuna Medical Center or Mesmer (psychiatric) Hospital.

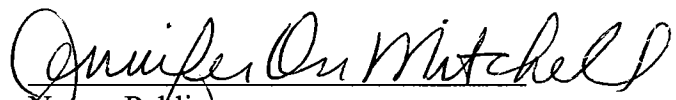
5. Upon information and belief, the document attached as Exhibit 1 to this affidavit is a true and accurate copy of a residency certificate issued to Amadasu by the Bronx-Lebanon Hospital Center in April of 1993 and was obtained by Jennifer Orr Mitchell, co-counsel for Dr. Berry, pursuant to a public records request made on April 17, 2002.

6. Upon information and belief, the document attached as Exhibit 2 to this affidavit is a true and accurate copy of the Application for Residency and Curriculum Vitae submitted by Amadasu to the University of Cincinnati on October 1, 1998 and was obtained by Jennifer Orr Mitchell, co-counsel for Dr. Berry, pursuant to a public records request made on April 17, 2002.

FURTHER AFFIANT SAYETH NAUGHT.


Matthew S. Arend, Esq.

Sworn to and acknowledged before me, a Notary Public, this 29th day of August, 2006.


Notary Public
JENNIFER M. ORR, ATTY.
NOTARY PUBLIC • STATE OF OHIO
My Commission Has No Expiration Date
Section 147.03 O.R.C.